City of Bellevue
Development Services Department
Land Use Staff Report

Proposal Name:	**Ismond 14841 SE 54th St**
Proposal Address:	14841 SE 54th St
Proposal Description:	The applicant requests approval of a Critical Areas Land Use Permit to construct a new single-family residence within a 50-foot steep slope critical area buffer.
File Number:	**19-121260-LO**
Applicant:	Abby Ismond
Decisions Included:	Critical Areas Land Use Permit (Process II. LUC 20.30P)
Planner:	Peter Rosen, Senior Environmental Planner
State Environmental Policy Act Threshold Determination:	**Exempt**
Director's Decision:	**Approval with Conditions** Michael A. Brennan, Director Development Services Department *Heidi Bedwell, Planning Manager* _____ Elizabeth Stead, Land Use Director Development Services Department

Application Date:	August 23, 2019
Notice of Application Publication Date:	September 19, 2019
Decision Publication Date:	August 6, 2020
Project Appeal Deadline:	August 20, 2020

For information on how to appeal a proposal, visit Development Services Center at City Hall or call (425) 452-6800. Appeal of the Decision must be received in the City's Clerk's Office by 5 PM on the date noted for appeal of the decision.

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Attachments

1. Site Plan – Attached
2. Mitigation Plan - Attached
3. Critical Areas Report – In File
4. Geotechnical Reports – In File
5. Arborist Report – In File

I. Proposal Description

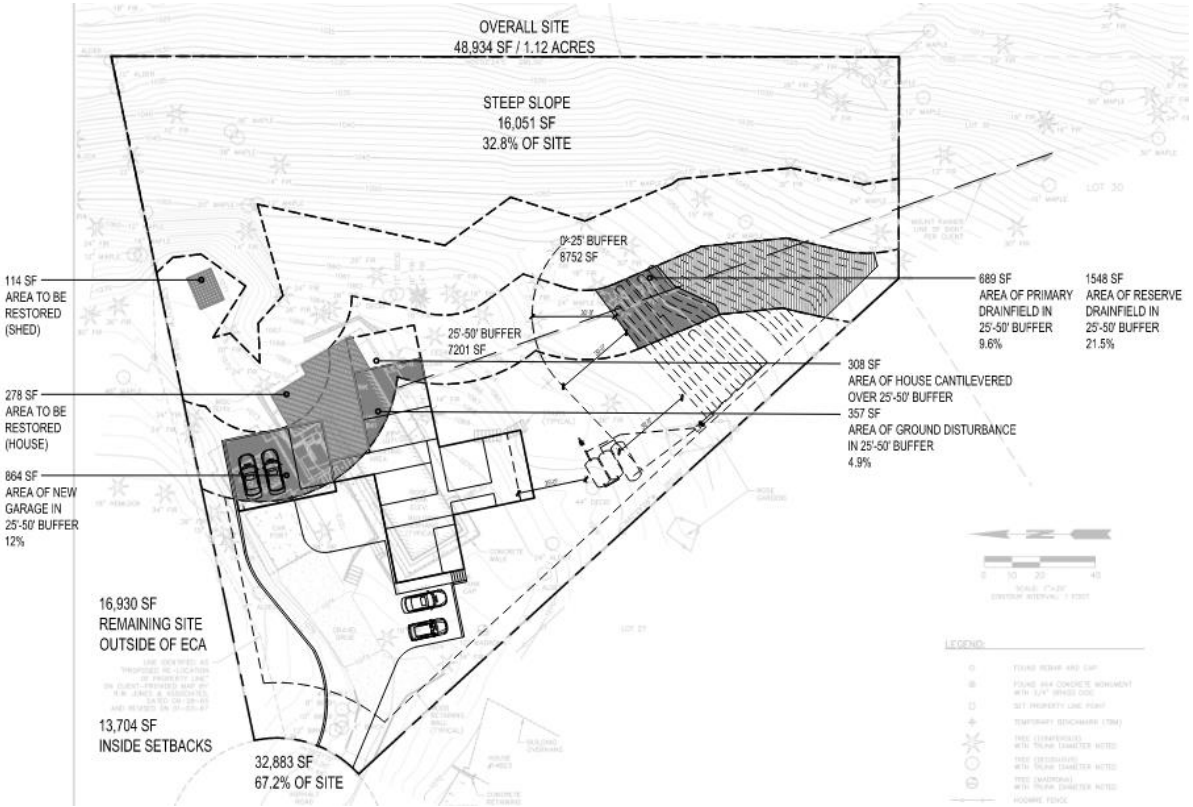
The applicant is requesting approval of a Critical Areas Land Use Permit to construct a new single-family residence, attached garage and to expand a septic drainfield within a 50-foot steep slope critical area buffer. The proposal would replace an existing residence and detached garage and carport; locating the new structures further back from the top-of-slope.

The proposed residence, garage and septic drainfield would encroach a total of 3,766 SF, into the outer 25 feet of the 50-foot steep slope buffer, between 25-50 feet back from the identified top-of-slope. The inner steep slope buffer, the buffer area 0-25 feet from the top-of-slope would remain in a natural, forested condition.

The new garage (936 SF) is proposed to be located 25 feet back from the top-of-slope and encroach 864 SF into the outer steep slope buffer. The new residence (3,070 SF) would encroach a total of 665 SF into the outer steep slope buffer; with 357 SF of ground disturbance and 308 SF cantilevered over the buffer. The septic drainfield would encroach at total of 2,237 SF in the outer buffer, 25-50 feet back from the top-of-slope; 689 SF is for the primary drainfield and 1,548 SF for the reserve drainfield. The expanded drainfield is a necessary expansion to bring the septic system up to current standards for the size of the proposed residence.

Existing structures located within the inner portion of the steep slope buffer, 0-25 feet from the top-of-slope, would be removed and the area restored with native planting. This includes a 114 SF shed and 278 SF of the existing residence located within 25 feet of the top-of-slope, resulting in 392 SF of restoration within the inner 0-25 foot buffer area.

Figure 1 – Site Plan

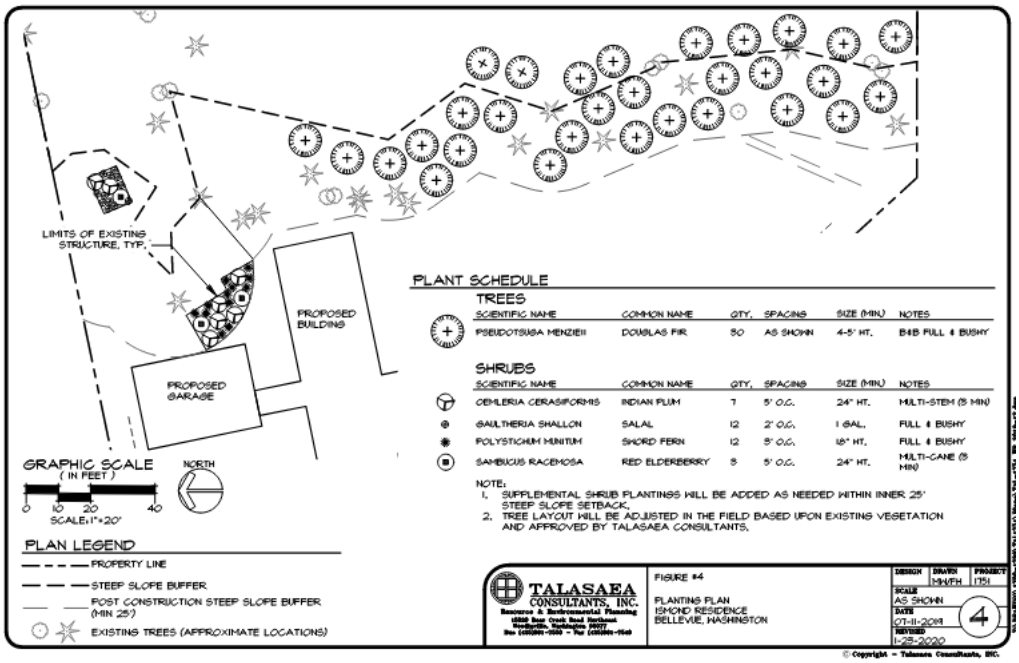


An arborist report (American Forest Management, Inc., January 14, 2019) is included in the Critical Areas Report and evaluates the condition of existing trees on the site and provides recommendations for tree removal and for tree protection measures for retained trees. Saving existing significant trees was a major factor in determining the siting and layout of the new residence.

A total of four (4) existing significant trees would be removed from the steep slope buffer area. Three (3) trees would be removed from the inner buffer, 0-25 feet from the top-of-slope. Two (2) existing Madrone trees would be removed because the trees are in fair condition, diseased, and with a heavy lean that could threaten the new residence. And a Big-leaf Maple, in poor condition and major decline, is also identified for removal. One (1) tree would be removed from the outer buffer (25-50 feet from top-of-slope) to accommodate the footprint of the new residence and to save a larger Douglas Fir.

To mitigate for steep slope buffer impacts, the proposal includes planting 30 Douglas Fir trees at the top of the steep slope area and within the inner 0-25 foot buffer from the top-of-slope. This tree planting is proposed in addition to the removal of existing structures and restoration within the inner slope buffer,

Figure 2– Mitigation Plan



A Critical Areas Land Use Permit is required per LUC 20.25H.015.B because the proposal involves disturbance and modifications to the steep slope critical area buffer, the top-of-slope buffer 50 feet back from the identified top-of-slope. A Critical Areas Report is required to modify the code standards protecting steep slope buffers. The Critical Areas Report must demonstrate that the proposal would result in critical area functions and values that are at least as protective as with the application of the regulations and standards of the code, LUC 20.25H.230.

II. Site Description, Site Context, Zoning, Land Use and Critical Areas

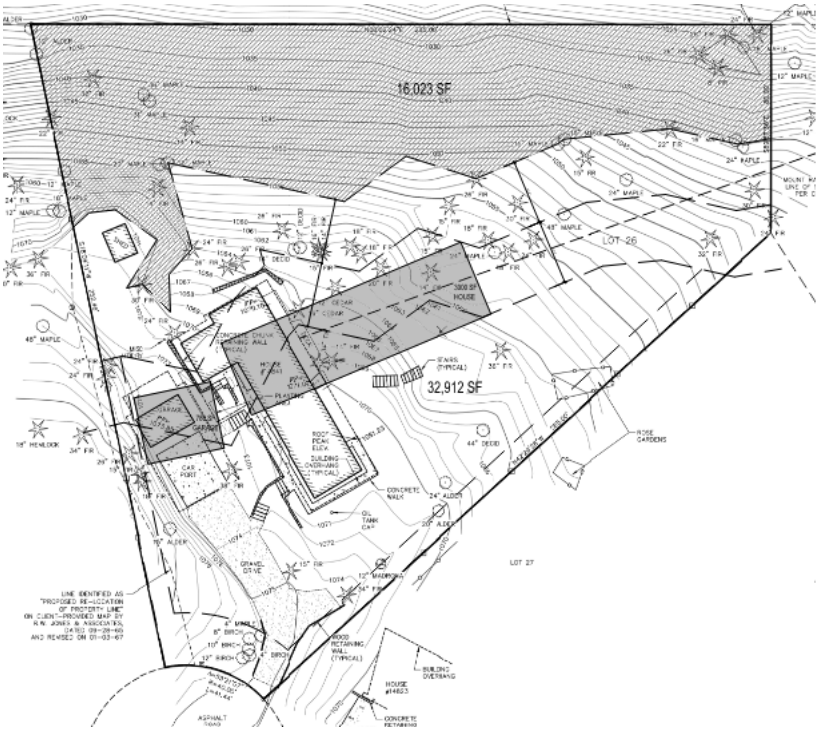
A. Site Description

The project site is located at 14841 SE 54th Street in the Newcastle subarea and the Hilltop neighborhood. The site is 48,934 square feet (SF) and is currently developed with a one-story single family residence and a detached garage and carport. The site is accessed by a gravel driveway from the end of the SE 54th St cul-de-sac.

The western portion of the subject site includes a steep slope critical area (16,023 SF), which comprises approximately 33% of the total site area. The steep slope drops steeply downward towards the east with a 30-45 foot elevation difference at an inclination of 41-44%. A parcel of the Hilltop Community open space is at the base of the slope and borders the east property line of the project site. The steep slope area is heavily forested with primarily native vegetation, second-growth conifer forest with some deciduous trees. Dominant tree species include Douglas Fir, Western Hemlock, and Big-leaf Maple and Red Alder. Typical understory vegetation includes Salal, Vine Maple, Elderberry and Sword Fern. There are few invasive plant species.

The eastern portion of the site (67% of the site area) has been improved with an existing single family residence, detached garage and carport, driveway access, and septic drainfield. Areas around the existing structures are forested with mature native conifer trees with an open, managed understory.

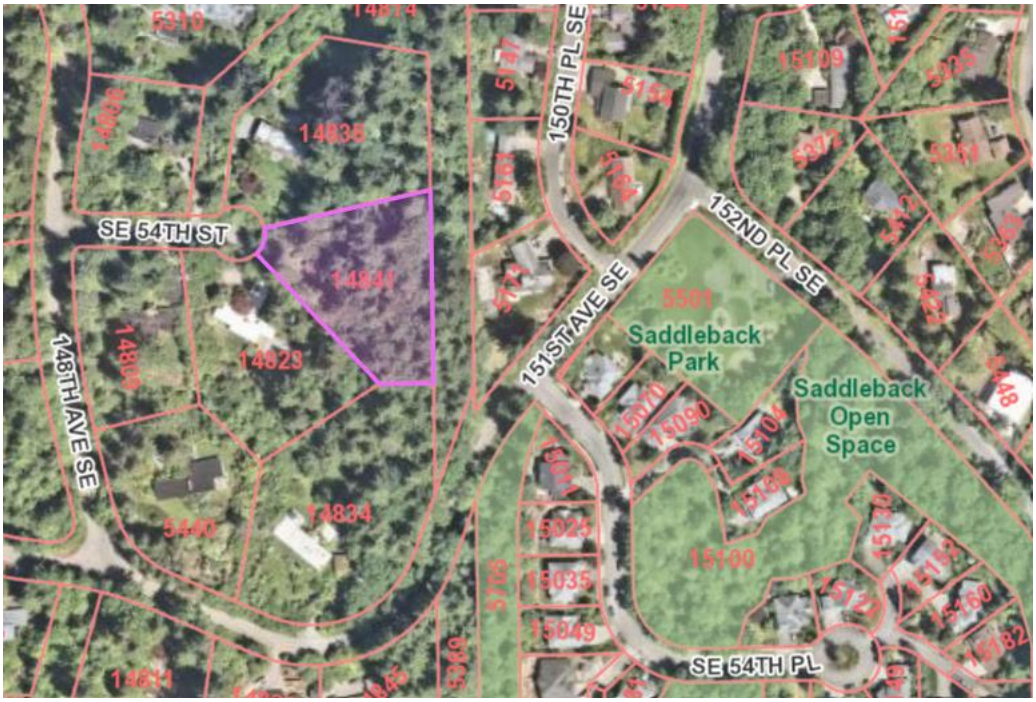
Figure 3– Topographic Survey and Existing Site Conditions



B. Site Context

The site is bordered on the north, south and west by other existing single family residences in the Hilltop Community. The site slopes down to the east and at the base of the slope, adjacent to the east property boundary there is a Hilltop Community open space parcel which includes a community trail. The Hilltop Community open space parcels were previously evaluated for critical areas (Otak Critical Areas Assessment, July 24, 2014, included as Appendix A in the Critical Areas Report) and it was determined that no wetlands, streams or their associated buffers extend onto the subject site.

Figure 4– Site Context



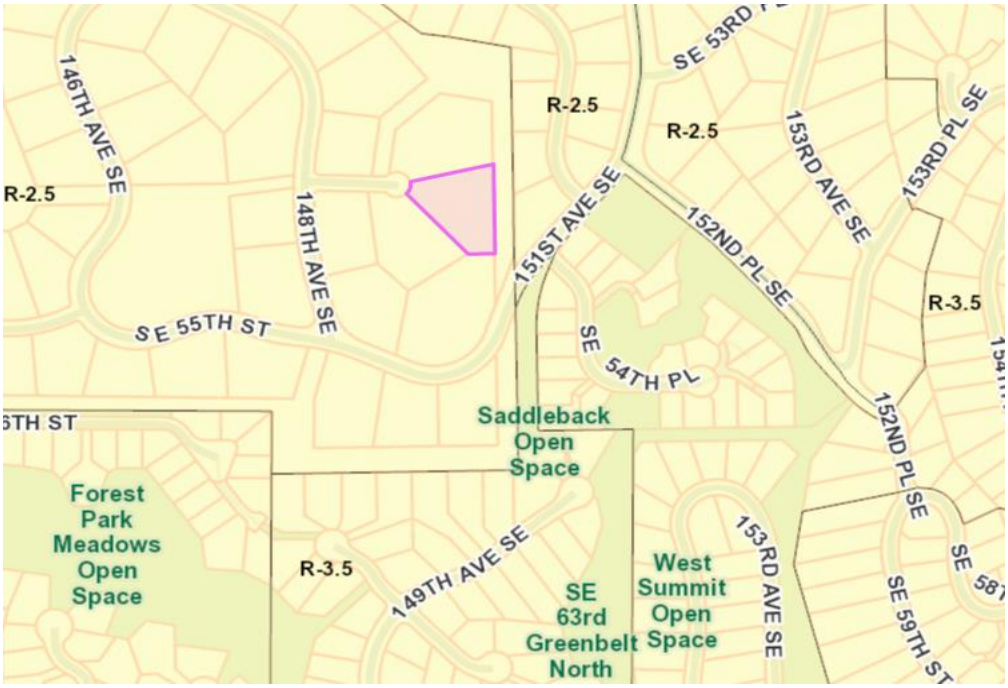
C. Zoning

The property is zoned R-2.5, a single-family residential zoning district, and is located in the Newcastle subarea. The entire surrounding area is zoned R-2.5 and R-3.5, intended for single family residential development (Figure 5).

D. Land Use

The comprehensive plan designation for this site and the surrounding area is Single-Family Medium Density (SF-M). The proposal for a single family residence is consistent with the Land Use designation.

Figure 5 – Zoning Map



E. Critical Areas Functions and Values

i. Geologic Hazard Areas

LUC 20.25H.120.A.2 defines steep slope areas as those areas that contain slopes of greater than 40%, have a rise of at least 10 feet, and exceed 1,000 SF in area. The applicant has worked with a licensed surveyor and submitted a topographical site survey and site map identifying portions of the property which meet the steep slope criteria and are therefore regulated as a critical area. The applicant has provided a geotechnical report (Geotech Consultants, Inc., March 2, 2018) prepared by a licensed geotechnical engineer.

Geologic hazards pose a threat to the health and safety of citizens when commercial, residential, or industrial development is inappropriately sited in areas of significant hazard. Some geologic hazards can be reduced or mitigated by engineering, design, or modified construction practices. When technology cannot reduce risks to acceptable levels, building in geologically hazardous areas is best avoided (WAC 365-190).

Steep slopes may serve several other functions and possess other values for the City and its residents. Several of Bellevue's remaining large blocks of forest are located in steep slope areas, providing habitat for a variety of wildlife species and important linkages between habitat areas in the City. These steep slope areas also act as conduits for groundwater, which drains from hillsides to provides a water source for the City's wetlands and stream systems. Vegetated steep slopes also provide a visual amenity in the City, providing a "green" backdrop for urbanized areas enhancing property values and buffering urban development.

III. Consistency with Land Use Code Requirements:

A. Zoning District Dimensional Requirements:

The site is located in the R-2.5 zoning district. The plans demonstrate conformance with zoning dimensional standards, however conformance with all zoning requirements will be verified as part of the required building permit review. **See Condition of Approval regarding Building Permit Required in Section VIII of this report.**

B. Critical Areas Requirements LUC 20.25H:

The City of Bellevue Land Use Code Critical Areas Overlay District (LUC 20.25H) establishes performance standards and procedures that apply to development on any site which contains in whole or in part any portion designated as critical area, critical area buffer or structure setback from a critical area or buffer. The following sections of the Land Use Code apply to the proposal.

i. Consistency with LUC 20.25H.125 - Performance standards - Landslide hazards and steep slopes.

In addition to generally applicable performance standards set forth in LUC 20.25H.055 and 20.25H.065, development within a landslide hazard or steep slope critical area or the critical area buffers of such hazards shall incorporate the following additional performance standards in design of the development, as applicable. The requirement for long-term slope stability shall exclude designs that require regular and periodic maintenance to maintain their level of function.

A. Structures and improvements shall minimize alterations to the natural contour of the slope, and foundations shall be tiered where possible to conform to existing topography;

Finding: The proposed residence and garage would be setback a minimum of 25 feet from the top-of-slope of the steep slope critical area, consistent with recommendations of the geotechnical engineer. The residence is sited where the existing topography is moderately sloped (average slope inclination 11%-13%) thereby minimizing alteration to the natural contours. According to the project geotechnical engineer (Geotech Consultants, Inc., March 2, 2018), minimal excavation will be necessary to reach competent bedrock and this excavation will not adversely impact stability of the steep slope. **See Condition of Approval regarding Steep Slope Buffer Modification Limits in Section VIII of this report.**

B. Structures and improvements shall be located to preserve the most critical portion of the site and its natural landforms and vegetation;

Finding: The proposed residence and garage are located a minimum of 25 feet from the identified top-of-slope. The location will preserve the steep slope critical area and the inner buffer (between 0-25 feet from top-of-slope), preserving the existing forested vegetation and natural landforms on the most critical portion of the site.

C. The proposed development shall not result in greater risk or a need for increased buffers on neighboring properties;

Finding: The proposed residence is located a minimum of 25 feet from the steep slope area, consistent with the recommendations in the geotechnical report. The Geotechnical Study (Geotech Consultants, Inc., March 2, 2018) states that the underlying geology is a very dense sandstone which is very resistant to slope instability and that their recommendations are intended to prevent adversely impacting slope stability on the subject site and neighboring properties and the proposal would not necessitate increased buffers on surrounding lots.

The Land Use Code requires applicants to record a hold harmless agreement for any approvals to modify steep slopes and buffers. A hold harmless agreement is required to be recorded prior to building permit issuance. **See Condition of Approval regarding a Hold Harmless Agreement in Section VIII of this report.**

D. The use of retaining walls that allow the maintenance of existing natural slope area is preferred over graded artificial slopes where graded slopes would result in increased disturbance as compared to use of retaining wall;

Finding: The proposed residence would be constructed on the moderately-sloped western portion of the site, in the same general location as the existing residence, and will largely match the existing site topography resulting in a minimal grading or the need for retaining walls or landscape walls for graded slopes.

E. Development shall be designed to minimize impervious surfaces within the critical area and critical area buffer;

Finding: No development or impervious surface area is proposed within the steep slope critical area and the proposal would remove and restore 392 SF of existing impervious surface area within the inner 0-25 foot steep slope buffer.

Within the outer 25-50 foot steep slope buffer, the existing residence and garage comprise approximately 959 SF of impervious surface area. The proposed residence and garage would result in 1,529 SF of impervious surface area, an increase of 570 SF. The 1,529 SF of impervious surface area would comprise approximately 9.5% of the total 15,953 SF steep slope buffer area.

F. Where change in grade outside the building footprint is necessary, the site retention system should be stepped and regrading should be designed to minimize topographic modification. On slopes in excess of 40 percent, grading for yard area may be disallowed where inconsistent with this criteria;

Finding: The proposed residence would be constructed on the moderately-sloped western portion of the site, in the same general location as the existing residence, and will largely match the existing site topography to minimize topographic modifications. Minimal grading is anticipated outside of the building footprint and no yard area will extend further into the 40% steep slope critical area.

G. Building foundation walls shall be utilized as retaining walls rather than rockeries or retaining structures built separately and away from the building wherever feasible. Freestanding retaining devices are only permitted when they cannot be designed as structural elements of the building foundation;

Finding: No freestanding retaining walls or rockeries are proposed nor anticipated to be needed for the proposed development.

H. On slopes in excess of 40 percent, use of pole-type construction which conforms to the existing topography is required where feasible. If pole-type construction is not technically feasible, the structure must be tiered to conform to the existing topography and to minimize topographic modification;

Finding: No development is proposed on slopes in excess of 40%. The proposed residence and garage would be constructed on moderate slopes and therefore pole-type construction or tiering the structure is not necessary due to minimal topographic modifications.

I. On slopes in excess of 40 percent, piled deck support structures are required where technically feasible for parking or garages over fill-based construction types; and

Finding: No development is proposed on slopes in excess of 40%. Piled deck support structures are not proposed or necessary due to minimal topographic modifications.

J. Areas of new permanent disturbance and all areas of temporary disturbance shall be mitigated and/or restored pursuant to a mitigation and restoration plan meeting the requirements of LUC 20.25H.210.

Finding: The applicant proposes to mitigate for impacts within the outer 25-50 foot steep slope buffer by removing 392 SF of existing structures (existing shed and residence) located within the inner 0-25 foot buffer and restoring with native vegetation. The proposal also includes planting 30 Douglas Fir trees at the top of the steep slope area and within the inner buffer to mitigate for impacts.

A final mitigation and restoration plan is required to be submitted and approved with the building permit. The mitigation and restoration plan shall show planting locations, plant species, plant quantities and size of plant material. The mitigation planting is required to be maintained and monitored for five years. The final mitigation plan shall include performance standards to measure the successful establishment of the mitigation plantings. **See Conditions of Approval regarding a Final Mitigation and Restoration Plan, Final Mitigation and Restoration Plan Performance Standards, Maintenance and Monitoring Reports, Maintenance and Monitoring Surety in Section VIII of this report**.

ii. Consistency with LUC 20.25H.140 – Critical areas report – Additional provisions for landslide hazards and steep slopes.

A Geotechnical Engineering Study (Geotech Consultants, Inc., March 2, 2018) has been submitted with the application and includes an assessment of the geological characteristics of the site and project area, an analysis of the proposal and the geologic hazards including potential threats to adjacent properties. The geotechnical report includes recommendations for the foundation design site preparation, drainage and other pertinent development aspects.

To ensure the approved plans are accurately and safely implemented, the geotechnical consultant shall review building permit plans and observe all aspects of grading, drainage installation, foundation placement, and final surfacing to verify the construction meets project specifications discussed in the geotechnical report. **See Conditions of Approval regarding Geotechnical Review and Geotechnical Inspection in Section VIII of this report.**

iii. Consistency with LUC 20.25H.145 – Critical areas report – Approval of modification

Modifications to geologic hazard critical areas and critical area buffers shall only be approved if the Director determines that the modification:

A. Will not increase the threat of the geological hazard to adjacent properties over conditions that would exist if the provisions of this part were not modified;

Finding: The proposed residence would be constructed on the moderately-sloped portion of the site, in the same general location as the existing residence, and will minimize modifications to existing topography. The underlying geology is a dense sandstone which is very resistant to slope instability. The geotechnical report states that with the adhering to recommended buffer, a minimum of 25 feet from the steep slope critical area, that the proposal would not increase the threat of geologic hazards to adjacent properties or to the subject site itself.

B. Will not adversely impact other critical areas;

Finding: The proposal would not adversely impact other critical areas. The Critical Areas Report (Talasaea Consultants, Inc., January 24, 2020) evaluated the site and concluded there are no other critical areas on the site. It also includes a Critical Areas Assessment of the Hilltop Community open space parcels (Otak Critical Areas Assessment, July 24, 2014, included as Appendix A in the Critical Areas Report) and determined there are no off-site critical areas or their associated buffers that extend onto the subject site.

C. Is designed so that the hazard to the project is eliminated or mitigated to a level equal to or less than would exist if the provisions of this part were not modified;

Finding: The geotechnical report includes specific design and construction recommendations to eliminate or mitigate the geologic hazards to a level equal to or less than would exist if the provisions of this part, (i.e. the steep slope buffer standards) were not modified.

D. Is certified as safe as designed and under anticipated conditions by a qualified engineer or geologist, licensed in the state of Washington;

Finding: A geotechnical engineer, licensed in Washington, has certified the project as safe provided the construction adheres to their recommendations. The geotechnical engineer must review the final construction plans for conformance with geotechnical recommendations and provide geotechnical inspection and oversight during project construction. **See Conditions of Approval regarding Geotechnical Review and Geotechnical Inspection in Section VIII of this report.**

E. The applicant provides a geotechnical report prepared by a qualified professional demonstrating that modification of the critical area or critical area buffer will have no adverse impacts on stability of any adjacent slopes and will not impact stability of any existing structures. Geotechnical reporting standards shall comply with requirements developed by the Director in City of Bellevue Submittal Requirements Sheet 25, Geotechnical Report and Stability Analysis Requirements, now or as hereafter amended;

Finding: The Geotechnical Engineering Study prepared by Geotech Consultants, Inc (March 2, 2018) complies with this standard.

F. Any modification complies with recommendations of the geotechnical support with respect to best management practices, construction techniques or other recommendations; and

Finding: The proposed location of the residence, garage, and septic drainfield comply with the recommendations from the geotechnical engineer to maintain a minimum 25-foot buffer from the steep slope critical area. Recommendations of the geotechnical engineer are required to be incorporated into the house plans with the future building permit. **See Condition of Approval regarding Geotechnical Review in Section VIII of this report.**

G. The proposed modification to the critical area or critical area buffer with any associated mitigation does not significantly impact habitat associated with species of local importance, or such habitat that could reasonably be expected to exist during the anticipated life of the development proposal if the area were regulated under this part. (Ord. 5680, 6-26-06, § 3)

Finding: The proposed residence is located in the same general site location as the existing residence and extends into areas of the site where native vegetation has already been modified. The siting and layout of the new residence intentionally avoids impacts to significant trees. The steep slope area and the inner steep slope buffer comprise

approximately 50% of the total site area and would not be impacted by the proposal. This area of the site is heavily forested and provides the most significant habitat functions.

IV. Public Notice and Comment

Application Date:	August 23, 2019
Public Notice (500 feet):	September 19, 2019
Minimum Comment Period:	October 3, 2019

The Notice of Application was published in the City of Bellevue Weekly Permit Bulletin on September 19, 2019. The Notice of Application were mailed to property owners within 500 feet of the project site. Two comment letters were received:

- Comments expressed support for the steep slope critical areas designation and protecting trees on adjacent slopes. The comments noted that views versus trees is an ongoing issue in the Hilltop Community and Bellevue's critical area designation allows "at least some areas of the Hilltop Community to retain some really nice stands of Douglas Fir."
- Comment hoping that the new house "conforms to the visual integrity of the mid-century homes here already. As I understand it, the Hilltop Site Plan Committee is to approve all remodeling and building here so I hope the plans first go through that process. Also, concerned that these historic homes can be torn down without approval."

Response – The existing residence is not listed as an historic home or structure by the City or State and therefore there are no requirements to approve the removal of the existing residence. The City does not have a role in the enforcement of private covenants related to view or historic home design.

V. Summary of Technical Reviews

A. Clearing and Grading:

The Clearing and Grading Division of the Development Services Department has reviewed the proposed site development and geotechnical report for compliance with Clearing and Grading codes and standards. Clearing and Grading review conditions of approval are included in Section VIII below.

VI. Decision Criteria

A. Consistency with LUC 20.30P.140 – Critical Areas Land Use Permit – Decision criteria.

1. The proposal obtains all other permits required by the Land Use Code;

Finding: The applicant must obtain a single-family building permit and any associated permits prior to beginning construction. **See Condition of Approval regarding Building Permit Required in Section VIII of this report.**

2. The proposal utilizes to the maximum extent possible the best available construction, design and development techniques which result in the least impact on the critical area and critical area buffer;

Finding: The proposal locates the new residence and garage in the outer steep slope buffer, a minimum of 25 feet from the top-of-slope, consistent with the recommendations of the geotechnical engineer. This location is setback further from the steep slope area than the existing residence. The siting and design of the proposed residence would result in the least impact on the steep slope critical area and buffer.

The new residence is intentionally sited to preserve existing significant trees. Tree protection measures to protect existing, retained trees during construction activity shall be shown on the building permit submittal. **See Conditions of Approval regarding Tree Protection in Section VIII of this report.**

3. The proposal incorporates the performance standards of Part 20.25H to the maximum extent applicable, and ;

Finding: As discussed in Section III, the applicable performance standards of LUC 20.25H are being met.

4. The proposal will be served by adequate public facilities including street, fire protection, and utilities; and;

Finding: The proposal will be served by adequate public facilities.

There is an existing septic system and the proposal includes expanding the septic drainfield to bring the septic system up to current standards for the size of the proposed residence. The septic drainfield is located in the outer steep slope buffer area, a minimum of 25 feet from the identified top-of-slope. The expanded septic drainfield would encroach a total of 2,237 SF in the outer steep slope buffer; 689 SF for the primary drainfield and 1,548 SF for the reserve drainfield. The geotechnical engineer provided an additional letter addressing potential impacts of the septic drainfield within the steep slope buffer (Geotech Consultants, Inc., Septic Drainfield Considerations, January 30, 2020). The letter concluded that "the proposed location of the septic drainfield is appropriate from a geotechnical standpoint. The installation and operation of the septic drainfield should not adversely impact the stability of the steep slope, provided the recommendations in our original study are followed."

5. The proposal includes a mitigation or restoration plan consistent with the requirements of LUC Section 20.25H.210; and

Finding: The proposal includes a mitigation/restoration plan that is consistent with the requirements of LUC 20.25H.210.

The applicant proposes to mitigate for impacts within the outer 25-50 foot steep slope buffer by removing 392 SF of existing structures (existing shed and residence)

located within the inner 0-25 foot buffer and restoring with native vegetation. The proposal also includes planting 30 Douglas Fir trees at the top of the steep slope area and within the inner buffer to mitigate for impacts.

A final mitigation/restoration plan is required to be submitted and approved with the building permit. The mitigation/restoration plan shall show planting locations, plant species, plant quantities and size of plant material. The mitigation planting is required to be maintained and monitored for five years. The final mitigation plan shall include performance standards to measure the successful establishment of the mitigation plantings. **See Conditions of Approval regarding a Final Mitigation and Restoration Plan, Final Mitigation and Restoration Plan Performance Standards, Maintenance and Monitoring Reports, Maintenance and Monitoring Surety in Section VIII of this report**.

6. The proposal complies with other applicable requirements of this code.

Finding: As discussed in this report, the proposal complies with all other applicable requirements of the Land Use Code.

B. Consistency with LUC 20.25H.255 – Critical areas report – Decision criteria

General.

Except for the proposals described in subsection B of this section, the Director may approve, or approve with modifications, the proposed modification where the applicant demonstrates:

1. The modifications and performance standards included in the proposal lead to levels of protection of critical area functions and values at least as protective as application of the regulations and standards of this code;

Finding: The proposed residence would be located a minimum of 25 feet from the identified top-of-slope, consistent with the geotechnical report recommendations to maintain slope stability and provide a level of protection equivalent to the standards in this code. The proposed residence is located in the same general site location as the existing residence and the expansion would be limited to site areas that have already been disturbed and modified. Impacts to existing significant trees have been minimized. The preservation of the forested steep slope area and inner steep slope buffer, with the proposed mitigation planting, would result in improved critical area habitat functions than with the application of code regulations and standards.

2. Adequate resources to ensure completion of any required mitigation and monitoring efforts;

Finding: The mitigation planting is required to be monitored for five (5) years. A maintenance surety is required prior to issuance of a building permit for an amount equal to 20% of the estimated cost of planting, maintenance and

monitoring for five years**.** A cost estimate for maintenance surety is required to be submitted with the building permit. **See Condition of Approval regarding Maintenance and Monitoring Surety in Section VIII of this report.**

3. **The modifications and performance standards included in the proposal are not detrimental to the functions and values of critical area and critical area buffers off-site; and**

   Finding: The proposed modifications would not be detrimental to the functions and values of off-site critical areas and buffers. There are no off-site critical areas or buffers that would be impacted by the proposal. The geotechnical report states that the proposal would not impact the slope stability onsite or on adjacent properties.

4. **The resulting development is compatible with other uses and development in the same land use district.**

   Finding: The subject site is zoned for and surrounded by single family development. The single family home would be compatible with other single family uses and development in the same land use district.

VII. Conclusion and Decision

After conducting the various administrative reviews associated with this proposal, including Land Use Code consistency, City Code and Standard compliance reviews, the Director of the Development Services Department does hereby **approve with conditions** the proposal to construct a new single-family dwelling within a steep slope top-of-slope buffer.

Approval of this Critical Areas Land Use Permit does not constitute a permit for construction. A building permit is required and all plans are subject to review for compliance with applicable City of Bellevue codes and standards.

Note- Expiration of Approval: In accordance with LUC 20.30P.150 a Critical Areas Land Use Permit automatically expires and is void if the applicant fails to file for a Building Permit or other necessary development permits within two years of the effective date of the approval.

VIII. Conditions of Approval

The applicant shall comply with all applicable Bellevue City Codes and Ordinances including but not limited to:

Applicable Ordinances	Contact Person
Clearing and Grading Code- BCC 23.76	Tom McFarlane, 425-452-5207
Land Use Code- BCC 20.25H	Peter Rosen, 425-452-5210

The following conditions are imposed under the Bellevue City Code referenced:

1. **Building Permit Required:** Approval of this Critical Areas Land Use Permit does not constitute an approval of a development permit. Application for a building permit or other required permits must be submitted and approved. Plans submitted shall be consistent with the activity permitted under this approval.

   Authority: Land Use Code 20.30P.140
   Reviewer: Peter Rosen, Development Services Department

2. **Steep Slope Buffer Modification Limitations:** The modifications to the steep slope buffer approved in this report are limited to the approved site plan in Attachment 1. There is no implied approval for future modifications or expansion of any sort within the prescribed critical area or critical area buffer. Routine repair and maintenance shall be in accordance with the performance standards set forth in LUC 20.25H.055.

   Authority: Land Use Code 20.25H.230
   Reviewer: Peter Rosen, Development Services Department

3. **Geotechnical Review:** The project geotechnical engineer must review the final construction plans, including all foundation, retaining wall, shoring, and vault designs. A letter from the geotechnical engineer stating that the plans conform to the recommendations in the geotechnical report and any addendums and supplements must be submitted to the clearing and grading section prior to issuance of the construction permit.

   Authority: Clearing & Grading Code 23.76.050
   Reviewer: Tom McFarlane, Development Services Department, Clearing & Grading Section

4. **Geotechnical Inspection:** The project geotechnical engineer must provide geotechnical inspection during project construction, including monitoring and testing of soil cuts and fill, subgrades for foundations and footing, utility trench backfill, and any unusual seepage, slope, or subgrade conditions.

   Authority: Clearing & Grading Code 23.76.050
   Clearing & Grading Code 23.76.160
   Reviewer: Tom McFarlane, Development Services Department, Clearing & Grading Section

5. **Rainy Season Restrictions:** Due to steep slopes on the site, no clearing and grading activity may occur during the rainy season, which is defined as October 1 through April 30, without written authorization of the Development Services Department. Should approval be granted for work during the rainy season, increased erosion and sedimentation measures, representing the best available technology

must be implemented prior to beginning or resuming site work.

Authority: Bellevue City Code 23.76.093.A,
Reviewer: Tom McFarlane, Development Services Department, Clearing & Grading Section

6. **Hold Harmless Agreement:** Prior to Building Permit approval, the property owner or his/her agent shall submit a hold harmless agreement releasing the City of Bellevue from any and all liability associated with construction of the residence and associated improvements. The land use division will provide a template to be completed and recorded with King County Department of Assessments.

   Authority: Land Use Code 20.30P.170
   Reviewer: Peter Rosen, Development Services Department

7. **Tree Protection:** The Building Permit plan submittal shall include the tree protection measures to protect existing, retained trees during construction activity.

   Authority: Land Use Code 20.30P.140
   Reviewer: Peter Rosen, Development Services Department

8. **Final Mitigation and Restoration Plan:** A final mitigation and restoration plan is required to be submitted and approved with the building permit. The final mitigation and restoration plan shall be consistent with the approved conceptual mitigation plan. The final mitigation plan shall show planting locations, plant species, plant quantities and size of plant material.

   Authority: Land Use Code 20.25H.220
   Reviewer: Peter Rosen, Development Services Department

9. **Final Mitigation and Restoration Plan Performance Standards:** The final mitigation and restoration plan shall include performance standards to measure the successful establishment of the mitigation plantings. The following performance standards are acceptable and shall be included on the final mitigation plans:

   Year 1 (from date of plant installation)
   - 100% survival of all installed plants and/or replanting in following dormant season to reestablish 100%
   - Maximum 10% coverage of invasive plants in planting area

   Year 2 (from date of plant installation)
   - At least 90% survival of all installed material
   - Maximum 10% coverage of invasive plants in planting area

   Year 3, 4, & 5 (from date of plant installation)
   - At least 85% survival of all installed material
   - Maximum 10% coverage of invasive plants in planting area

Authority: Land Use Code 20.25H.220
Reviewer: Peter Rosen, Development Services Department

10. **Maintenance and Monitoring Surety:** A financial surety is required to be submitted to ensure the mitigation planting successfully establishes. A maintenance assurance device that is equal to 20% of the cost of plants, installation, and the cost of monitoring is required to be held for a period of five years from the date of successful installation. A cost estimate is required to be provided with the building permit. The financial surety is required to be posted prior to building permit issuance. Release of the surety after the 5-year monitoring period is contingent upon a final inspection of the planting by Land Use Staff that finds the maintenance and monitoring plan was successful and the mitigation meets performance standards.

    Authority: Land Use Code 20.25H.220
    Reviewer: Peter Rosen, Development Services Department

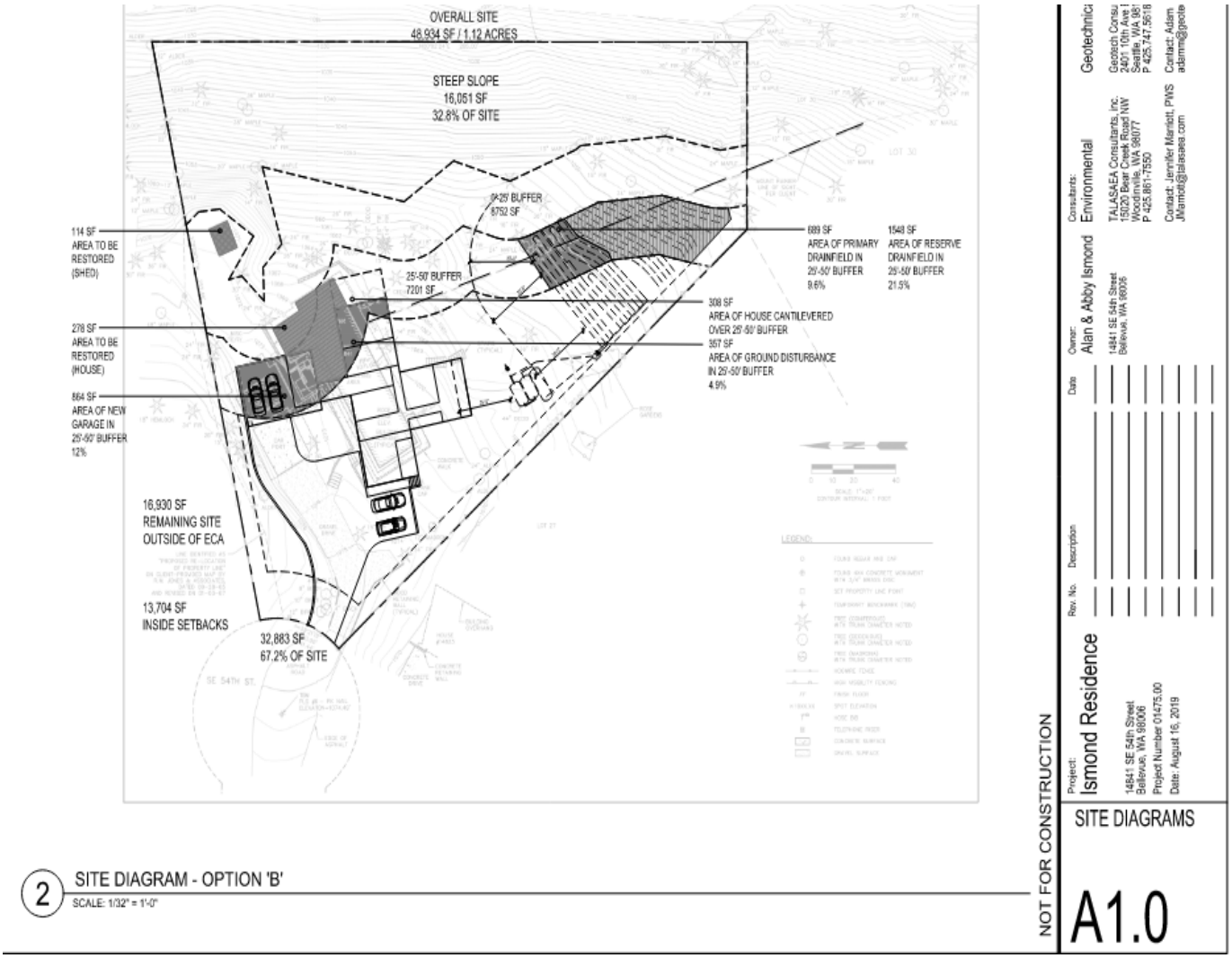
11. **Maintenance and Monitoring Reports:** The mitigation planting is required to be maintained and monitored for five years to ensure the plants successfully establish. Annual monitoring reports are required to be submitted to document the plants are meeting approved performance standards. Photos from selected photo points shall be included in the monitoring reports to document the planting. Land Use inspection is required by Land Use staff to end the plant monitoring period.

    Reporting shall be submitted no later than December 31st of each monitoring year and shall include a site plan and photos from photo points established at the time of Land Use inspection. Reports shall be submitted to Peter Rosen or Heidi Bedwell by the above listed date and can be emailed to prosen@bellevuewa.gov or mailed directly to:

    Environmental Planning Manager
    Development Services Department
    City of Bellevue
    PO Box 90012
    Bellevue, WA 98009-9012

    Authority: Land Use Code 20.30P.140; 20.25H.220
    Reviewer: Peter Rosen, Development Services Department

ATTACHMENT 1 - SITE PLAN



2 SITE DIAGRAM - OPTION 'B'
SCALE: 1/32" = 1'-0"

NOT FOR CONSTRUCTION

Consultants:
Geotechnical
Environmental

Geotech Consultants, Inc.
2401 10th Ave W
Seattle, WA 98119
P 425.747.5618
Contact: Adam
adamm@geote

TALASAEA Consultants, Inc.
15020 Bear Creek Road NW
Woodinville, WA 98077
P 425.861-7550
Contact: Jennifer Marriott, PWS
JMarriott@talasaea.com

Owner:
Alan & Abby Ismond

14841 SE 54th Street
Bellevue, WA 98006

Rev. No. | Description | Date

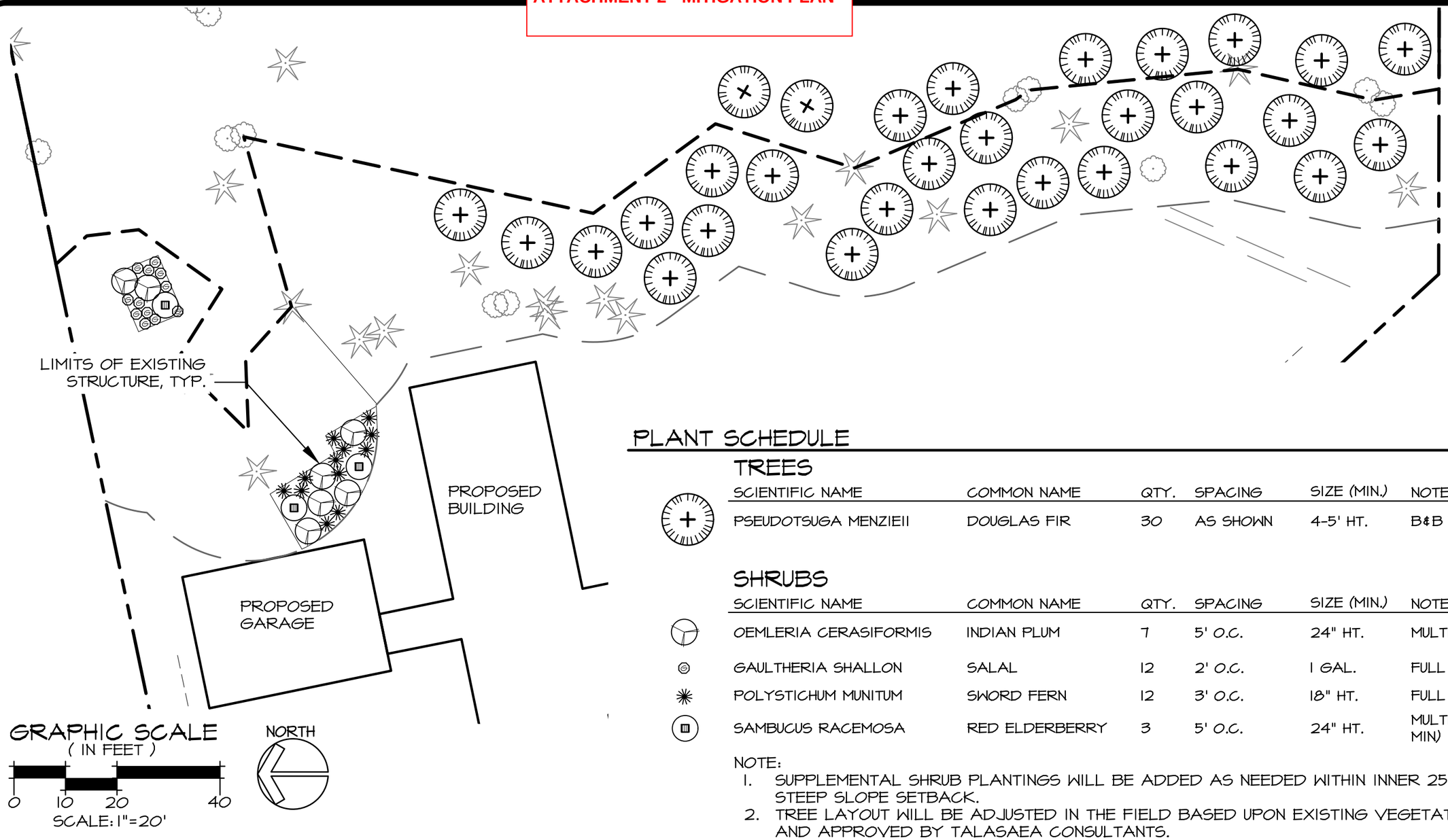
Project:
Ismond Residence

14841 SE 54th Street
Bellevue, WA 98006
Project Number 01475.00
Date: August 16, 2019

SITE DIAGRAMS

A1.0

ATTACHMENT 2 - MITIGATION PLAN



GRAPHIC SCALE
(IN FEET)
0 10 20 40
SCALE: 1"=20'

NORTH

PLAN LEGEND

- PROPERTY LINE
- STEEP SLOPE BUFFER
- POST CONSTRUCTION STEEP SLOPE BUFFER (MIN 25')
- EXISTING TREES (APPROXIMATE LOCATIONS)

PLANT SCHEDULE

TREES

SCIENTIFIC NAME	COMMON NAME	QTY.	SPACING	SIZE (MIN.)	NOTES
PSEUDOTSUGA MENZIEII	DOUGLAS FIR	30	AS SHOWN	4-5' HT.	B&B FULL & BUSHY

SHRUBS

SCIENTIFIC NAME	COMMON NAME	QTY.	SPACING	SIZE (MIN.)	NOTES
OEMLERIA CERASIFORMIS	INDIAN PLUM	7	5' O.C.	24" HT.	MULTI-STEM (3 MIN)
GAULTHERIA SHALLON	SALAL	12	2' O.C.	1 GAL.	FULL & BUSHY
POLYSTICHUM MUNITUM	SWORD FERN	12	3' O.C.	18" HT.	FULL & BUSHY
SAMBUCUS RACEMOSA	RED ELDERBERRY	3	5' O.C.	24" HT.	MULTI-CANE (3 MIN)

NOTE:
1. SUPPLEMENTAL SHRUB PLANTINGS WILL BE ADDED AS NEEDED WITHIN INNER 25' STEEP SLOPE SETBACK.
2. TREE LAYOUT WILL BE ADJUSTED IN THE FIELD BASED UPON EXISTING VEGETATION AND APPROVED BY TALASAEA CONSULTANTS.

TALASAEA CONSULTANTS, INC.
Resource & Environmental Planning
15020 Bear Creek Road Northeast
Woodinville, Washington 98077
Bus (425)861-7550 - Fax (425)861-7549

FIGURE #4

PLANTING PLAN
ISMOND RESIDENCE
BELLEVUE, WASHINGTON

DESIGN	DRAWN	PROJECT
	MW/FH	1751

SCALE: AS SHOWN
DATE: 07-11-2019
REVISED: 1-23-2020
4

Z:\DRAWING\1700-1799\TAL1751\Plans\TAL-1751 WP 2019-12.dwg